

117TH CONGRESS
2D SESSION

S. 3512

To establish an advisory group to encourage and foster collaborative efforts among individuals and entities engaged in disaster recovery relating to debris removal, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 13 (legislative day, JANUARY 10), 2022

Mr. SCOTT of Florida (for himself and Mr. PETERS) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To establish an advisory group to encourage and foster collaborative efforts among individuals and entities engaged in disaster recovery relating to debris removal, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Disaster Contract Im-
5 provement Act”.

6 **SEC. 2. OVERSIGHT ON DEBRIS REMOVAL.**

7 (a) DEFINITIONS.—In this section:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Federal
3 Emergency Management Agency.

4 (2) DEBRIS REMOVAL PROGRAM.—The term
5 “debris removal program” means the program estab-
6 lished under section 407 of the Robert T. Stafford
7 Disaster Relief and Emergency Assistance Act (42
8 U.S.C. 5173).

9 (b) ADVISORY WORKING GROUP.—

10 (1) IN GENERAL.—The Administrator shall es-
11 tablish an advisory working group to encourage and
12 foster collaborative efforts among individuals and en-
13 tities engaged in disaster recovery relating to debris
14 removal.

15 (2) MEMBERSHIP.—The advisory working
16 group established under paragraph (1) shall be com-
17 prised of—

18 (A) representatives from the Federal
19 Emergency Management Agency;

20 (B) representatives from the Army Corps
21 of Engineers;

22 (C) representatives of States and units of
23 local government; and

1 (D) subject matter experts in debris re-
2 removal, including not less than 1 representative
3 from the debris services contractor industry.

4 (c) GUIDANCE.—Not later than 1 year after the date
5 of enactment of this Act, the Administrator, in consulta-
6 tion with the advisory working group established under
7 subsection (b)(1), shall—

8 (1) determine whether guidance and procedures
9 in effect as of the date of enactment of this Act with
10 respect to the oversight and cost of debris removal
11 contracts entered into under the debris removal pro-
12 gram are sufficient; and

13 (2) if the Administrator, in consultation with
14 the advisory working group established under sub-
15 section (b)(1), determines that the guidance and
16 procedures described in paragraph (1) are insuffi-
17 cient, develop and implement additional such guid-
18 ance and procedures, including—

19 (A) a requirement that each State and unit
20 of local government receiving a grant under the
21 debris removal program take the primary role
22 in the oversight function of debris removal;

23 (B) guidance for State and local debris
24 monitors relating to debris removal operations,

1 debris operations oversight, and contractor
2 oversight, including contractor monitoring;

3 (C) checklists, job aids, eligibility require-
4 ments, contract requirements, debris manage-
5 ment planning guidance, sample bids, and other
6 items, as determined necessary by the Adminis-
7 trator, for State and local debris monitors;

8 (D) a list of the specific debris removal
9 monitoring responsibilities expected to be com-
10 pleted by a State that receives a grant under
11 the debris removal grant program;

12 (E) a list of the specific debris removal
13 monitoring responsibilities expected to be com-
14 pleted by recipients of a grant under the debris
15 removal grant program; and

16 (F) guidance for State and units of local
17 government to reduce duplication and ineffi-
18 ciency in debris removal contracting across the
19 Federal Government, State governments, and
20 units of local government.

21 (d) TRAINING.—The Administrator shall conduct
22 outreach to States, Tribal governments, and units of local
23 government with respect to any guidance or support mate-
24 rials developed under this section.

1 (e) GAO STUDY.—Not later than 1 year after the
2 date of enactment of this Act, the Comptroller General
3 of the United States shall conduct a study that—

4 (1) studies the use and adoption rate of ad-
5 vance contracts for debris removal by States and
6 units of local government;

7 (2) identifies the benefits of advance contracts
8 for debris removal;

9 (3) with respect to the reporting and informa-
10 tion sharing processes, as of the date of enactment
11 of this Act, for advance contracts for debris removal
12 between States and units of local government and
13 Federal partners—

14 (A) assesses those processes; and

15 (B) makes any necessary recommendations
16 for those processes;

17 (4) studies—

18 (A) the process for setting Federal reim-
19 bursement rates for the debris removal pro-
20 gram;

21 (B) the use of penalties, as of the date of
22 enactment of this Act, for violations of law and
23 regulations relating to debris removal; and

1 (C) fraud, waste, and abuse relating to the
2 debris removal program, including case studies;
3 and
4 (5) recommends improvements to oversight and
5 fraud prevention across the debris removal program.

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